

# THE NATIONAL REGISTER.

No. 2. Vol. III.]

WASHINGTON, JANUARY 11, 1817.

[Vol. I. FOR 1817.]

PUBLISHED EVERY SATURDAY, BY JOEL K. MEAD, AT FIVE DOLLARS PER ANNUM.

## COLONIZATION OF THE FREE BLACKS.

It is necessary for the success of this measure that it should become a subject of general concern and co-operation; which seems not likely, or, at least, not apparent at present. It has come forth under inauspicious circumstances, with a developement of motives not calculated to catch the sympathies of the high-toned advocates of general freedom, or the hopes or confidence of those objects for whose welfare it would provide, without pretending to consult even their prejudices. We cannot condemn the plan which we wish may, for the nation's interest and honor, be successful, but cannot therefore be blind or silent to views from which it must derive all its character and effect. There does not appear in it any thing mean or unfair, or patriotic or magnanimous. It is the voice of interest from the spirit of the south; and has been answered by the spirit of the north, in a tone of as little harmony as can be imagined—a note to the air of liberty and equality.

The New-York Manumission Society has made another appeal to the philanthropy, liberality, and justice of the public, in favour of the miserable and injurious class of black slaves. The misfortune is, that such generous dispositions exist only where they can be of little or no use; for in the northern states there are few slaves that can have any rational wish to be free—to be cast, in advanced life, upon the world, unprovided for and unqualified to maintain themselves honestly; little disposed to maintain themselves at all; and in the southern states all emancipation must be something worse than absurd that would not previously give to those set free sufficient knowledge, skill, habits of industry, and moral principles, to render them safe and serviceable members of the community, and indemnify the holders of slaves for whatever loss they might sustain by any such arrangements.

The right to hold slaves is as definite, and may be as perfect as any other right of property; but it seems very fairly doubted, whether persons can justly claim servitude from the offspring of their slaves, except by the direct consent of the community. We stop not to reason on the right arising from services lost by gestation, though some have maintained such ungenerous claims; we will not weigh the little value of the time which is filled up in hopeless slavery, but we will admit that a nation is not bound in justice or honor to grant to individuals any freedom that would destroy or jeopardize its happiness or security. Yet,

Vol. III.

when all the objections on all these grounds may be fairly removed, we must hope that, at no distant day, a wiser and better spirit will cast out this foul, aristocratic, demoralizing spirit of slave keeping.

With regard to the plan suggested, of removing the free blacks from the country without requiring their consent to the project, the question of right seems very clear, but the expediency would at least be very questionable. Justice would require that they should be protected, and that their condition should be improved—that, at least, there should be all reasonable prospect and provision for its improvement, in the situation to which they might be removed. If, in the view of such circumstances, they should be blind to their interest, their mere wishes in contravention to the will and interest of the country need not be heard but through indulgence to their weakness, or in apprehension of the reaction of popular sentiment: for the blacks are not constituent parts of the nation. We have been told, with looks of dogmatical confidence, that those who have not forfeited their right of residence by criminality cannot be rightfully carried from their native soil, though the interest of the nation might require it. We must deny the assertion generally, and we must likewise deny that the blacks have any right of residence. We are under no obligation to maintain among us the uncongenial race that the stupid and base policy of Great Britain had introduced as a part of the degrading system of colonization.

Whatever the good slave-holding members of the negro colonizing society may think of the matter—whatever disavowal of manumission principles they may make, the abolition of slavery must naturally and justly be the consequence of a great national provision of security and comfort for the blacks set free.

We do not wish to see beings so ignorant, and, of course, so unprincipled, cast into the enjoyment, not of liberty, but of license—into a life of indolence and vice. We do not wish colonies of such to be near us, or to have them placed where they would sink again into their former rude habits. Savage life, in its primitive state, miserable as it may be, has a character of dignity and innocence; but when mingled with civilization, and suffered to carry back, as it naturally will, the ingenuity for vice without the motives for virtue, the mean cunning of minds partly enlightened, but depressed and despised, into the lawless and heartless regions of barbarism; the habits of lux-

B

ury without the skill to supply the wants; the sources of misery and wretchedness without the antidotes. This is a degradation which no natural condition of society can subject them to.

To give security to a colony in Africa would require a military establishment; which, as men are always prone to abuse power, might settle into a military government, of all tyrannies the most odious and alarming: or under the best regulations, it would, like the little colony of Sierra Leone, naturally excite the jealousy of other nations.

These may be no insuperable obstacles, but we apprehend they would be difficulties: and there are others too obvious, and many that might occur in the execution of the plan. The society, though it could not arrange its ideas into good English, may have ample knowledge of the business it has engaged in, and power to call forth the spirit of the nation and the sanction of the government for the prosecution of its measures.

The disposition of many slave holders to liberate their slaves, and the danger of doing so under present circumstances, seem to require of the government some provision like that recommended by this society. We observe that a proposal of the noblest generosity has lately been very prudently rejected by the legislature of Indiana. Mr. W. E. Sumner, of Tennessee, wished to emancipate his slaves, about forty in number, and petitioned that legislature for permission, engaging, at the same time, to provide for them at his own expense—to give them farms, and enable them to cultivate them, by furnishing them with stock and farming utensils. The report on this memorial reiterated the determination of the State not to admit blacks among them, in any condition; and expressed a hope, that the national legislature might adopt a system of colonization that would meet such benevolent intentions with corresponding liberality and humanity, to ameliorate the condition of that unhappy race.

#### BANK SPECULATIONS.

Neither the subject nor the spirit of complaint is exhausted. However, there is something to be expected from the measures which the treasury department will pursue with regard to the banks that may persist in refusing specie after the twentieth of February next, as announced in the Secretary's circular which we publish to-day. There is every hope, as to the banks that have acted with good faith on the principle of preparation, for payment. The honesty and lasting policy of that class will soon be distinguished from the unfair, adventurous manœuvres of those who, profiting by the difficulties of the times, catch every

present advantage, with the apparent view of breaking up their rookeries on the return of fair dealing principles, and making a last sweep through the back door of preconcerted bankruptcy. It is evident that there has been little general diminution of circulating bank paper; for while the banks of real capital have been retracting their notes, refusing accommodations, and preparing to meet the coming exigencies honestly, a mushroom set of institutions have started up to fill the vacuum occasioned by the withdrawing of the substantial ones, and meet the pressing calls of the public. If the rich banks, with all their curtailments, feel alarm, what must be the condition of those baseless fabrics that would overshadow the country. It is true some of them furnish notes to the needy and unsuspicious, which, upon the very conditions of them, may never be payable—a kind of catching engagements—promises with mental reservation, called *bank facilities*, issued, to be received again only in payment of debts due to the bank—that is, upon a contingency that may never happen. The money might be recovered upon them, in any circumstances, under the law of cheats, if such a law existed in this country; but no one of the States, so far as we know, possesses any law equivalent to the English law on that subject; so that those facilities may yet require legislative interference.

The depreciation of certain kinds of paper is in a great measure the result of systematic arrangement, settled to answer the purposes of money brokers. We can perceive no reason, in the course of trade, why this course of exchange should be against this place, both towards the north and the south. For what purposes is the money tide passing from this to Baltimore and back with a discount of two and a half per cent. against us, making fortunes for the money changers? There are very good reasons for those whom they suit—sufficient is it, that one of the banks here is receiving interest upon fifteen hundred thousand dollars, bottomed upon a capital of three hundred thousand.

One of the Ohio banks, using a hundred and fifty thousand dollars of the public money, to meet the treasury demands entered into a series of manœuvres that were calculated to retain for ever that capital in their hands, by the issues of their own paper, and other methods actually calculated to occasion embarrassment to the Treasury Department, and loss to the public creditors. They were, of course, resisted; but the same undeserved indulgence has been continued to that corps of cunning speculators. One of the consequences has been, that, for one half year, a dividend of twenty-five per cent. was declared due to the stockholders on their paper capital.

## NATIONAL UNIVERSITY.

We are not a little surprized at the remarks made on this subject by the intelligent editor of the Petersburg Intelligencer.

"The evils arising from a National Seminary are to us so obvious, that we are astonished they are not perceived by every man who reflects upon the subject. The idea of a National University must immediately suggest the idea of a particular system of education, which is to be imposed upon all the youth of the Union. Or, in other words, a few professors are to dictate certain principles in politics, morals and religion, which all the citizens in the United States are required to venerate. We know not what particular principles will be inculcated; but we know very well, from the nature of the establishment, that the juvenile mind of the young republican will be taught a servile respect to his superiors, an obedience to all established customs, and a blind devotion for honors, titles and superstitious forms. A national system of falsehood, hypocrisy and superstition will be composed."

This idea of adopting a new system of education appears to have likewise disturbed the brains of some others on this subject; but to us the apprehension is unaccountable, unless indeed it be a mere pretence. None despise more than we do the illuminati habits of visionary, unprincipled innovation; and it is for this reason, above all others, that we wish to see liberal, nation-worthy, encouragement given to the good old system of collegiate education; for all colleges pursue very nearly the same general plan in every civilized nation.

It would be absurd to adopt, in a university, any systems of party politics or sectarian doctrines of religion. No course of liberal education has a tendency to form any bias of mind on such subjects; but the influence of teachers in their sermons and in conversation with the pupils, no doubt, has tendencies of that kind, always either salutary or pernicious. In the northern colleges, for instance, it is very well known that the teachers generally inculcate what we call aristocratic notions, but so far as we can judge of the effects of classical and mathematical studies, they create no predisposition for the principles of aristocracy or democracy—for despotism or jacobinism. Whatever evils are threatened from this quarter must be supposed to result from the dangerous notions or habits of the teachers: and such danger, whatever may be its extent, will be unavoidable; unless, indeed, by the adoption of barbarian customs, we avoid at once the advantages and disadvantages of education.

It is true that the colleges have systems that teach general principles of morals, but as all sects of politicians and religionists, whatever their practices may be, are agreed about those principles, we do not imagine that even the enemies of literature have any thing to apprehend on this score.

We presume that it will be an easy matter to obviate the vague fears of those who dread only the introduction of new systems; but as to those who oppose learning generally, we beg that they will give fair intimation of their views, that we may meet them with suitable armour and attitude.

Those who think that the national interference would be injurious to literary institutions may have their arguments; and those that think this city an unsuitable place for such establishments may have their reasons; but those who think that Congress would only adopt a "national system of falsehood, hypocrisy and superstition," must pardon us if we can see in their remarks neither rhyme or reason.

If any inadvertent expressions of ours should unexpectedly offend, we beg pardon. "The love we bore for learning was in fault."

Whatever may be the fate of the National University, we must regret to see talents arrayed against the cause of literature.

## PUBLIC DOCUMENTS.

## TREASURY CIRCULAR.

*From the Enquirer.*

*Treasury Department, Dec. 20, 1816.*

Sir,—I have received notice from the president and directors of the bank of the United States, that the bank will commence its operations in Philadelphia on the 1st day of the next year, and that they will be ready on that day to receive the public moneys deposited in the State banks, and hold them subject to the orders of the treasury. Like notices are expected upon the establishment of branch banks in the principal commercial cities. Before any definite decision is made upon this proposition, it is deemed expedient to ascertain the course which the State banks in those cities will pursue in relation to the resumption of specie payments. If the determination of the banks to resume specie payments on the 1st of July, 1817, which has been communicated to this department, is persevered in, there will be no hesitation in ordering the transfer to be made with as little delay as the interest of the community will admit. As an inducement to change that determination, it is proposed on the part of the treasury that if the State banks will resume specie payments on the 20th day of February next, that the public money now in their vaults shall not be transferred to those of the bank of the United States, and that between that day and the 1st of July next as small a portion of that sum shall be drawn as the demands upon the treasury will admit. As the receipts into the treasury during the year will probably exceed the current demands upon the treasury, it is proposed to discharge those demands principally from the current receipts, until after the 1st day of July, 1817; subsequent to that day, the money will be drawn for as the demands upon the treasury may require; but, in no case shall it be drawn for the purpose of being deposited in the bank of the United States, except to sustain it against any pressure which may be attempted to be made upon it or its branches. The means of the treasury to aid

the operations of banks in effecting a revolution in the state of the currency, so imperiously necessary to the public interest, are considered ample, and the strongest disposition exists to apply them so as to produce the most beneficial results. The power of transferring such portion of the deposits, with a view to equalize the benefits resulting from them among the banking community, as the situation of the several banks may require, is expressly reserved.

In making this proposition to the State banks, the strongest reliance is placed in their disposition to join in the effort necessary to relieve the community from the evils to which it has been subjected, by the disordered state of the circulating currency. It is confidently believed that the interests of the banks and of the community are not in opposition to each other, and that any sacrifice which the effort may cost them will be compensated by the advantages and facilities which it is in the power of the treasury to afford them. In deciding upon the question submitted to their consideration, the friendly character and disposition of the bank of the United States towards them ought not to be overlooked.

The deep interest which the treasury has in the support of bank credit, and the connexion which it has with the bank of the United States, would, independent of the known disposition of that institution to conciliate the State banks, be sufficient to protect them against an illiberal policy on its part.

In closing this communication, candor compels me to state that there exists no reason to expect that the resolution of the last session of Congress, relative to the collection of the revenue after the 20th of February next, will be rescinded.

An early communication of the decision of the institution over which you preside is respectfully requested.

WM. H. CRAWFORD,

*Secretary of the Treasury.*

The President of the Bank of —

#### GEN. HARRISON'S CASE.

*Department of War,*

*December 29, 1816.*

SIR,—In obedience to the request of the House of Representatives, I have the honor to enclose a report on the letter of major general Harrison, and the documents accompanying the same, which were referred to this department, by an order of the 30th of April last.

I have the honor to be,

With sentiments of the highest respect,

Your obedient servant,

GEO: GRAHAM,

*Acting Secretary of War.*

*The honorable Henry Clay,*

*Speaker of the House of Representatives.*

The House of Representatives having, on the 30th of April last, "ordered that the committee on public expenditure be discharged; in a further consideration of the letter and documents of general William Henry Harrison; and that the same, together with the communications and documents presented to the committee on the same subject, be referred to the secretary of war; and that he be instructed to report thereon to this House at their next session;" the acting secretary of war has the honor to report—

That general Harrison, in his letter of the 20th of December, 1815, has solicited "an inquiry into the expenditure of public money within the eighth military district whilst under his command; and particularly whatever relates to the supplies of provisions by the special commissaries of the United States, and under the contract of Messrs. Orr and Greely;" and he particularly requests that the inquiry may embrace the following point: "Whether any supplies were ever demanded by me of the contractors, Orr and Greely, which were not called for by the state of the army, and warranted by the conditions of their contract? Whether any injustice was done to said Orr and Greely, by any order given by me to the purchasing or special commissaries of the army? Whether there is reason to believe that any sentiments of hostility existed in my mind towards the said contractors, and which operated injuriously to their interests, either by forcing them to do what was unnecessary, or withholding from them any thing that they had a right to claim? Whether there is any reason to believe that any connexion (other than that which the relations of our commissions necessarily produced) existed between myself and any of the staff officers of the army? And, generally, whatever relates to the expenditure of public money for the support of the north western army, as far as I may have been concerned."

From the documents referred to this department, and from those which were in its possession, it appears that on the 10th of March, 1813, a contract was entered into between the secretary of war and Benjamin G. Orr and Aaron Greely, for the supply of provisions from the 1st day of June, 1813, to the 1st of June, 1814, for the army in the 8th military district, and in Canada; a copy of which, marked A, is among the documents accompanying this report. Previously to the day on which Orr and Greely's contract was to take effect, large quantities of provisions had been purchased by the commissaries, under the order of general Harrison, and also by Mr. Denny, a contractor at Pittsburgh, under the order of Mr. Eustis, then secretary of war. These provisions were procured for the supply of the army then in the 8th military district, and for that intended for the campaign for the recovery of Detroit, and for the invasion of Upper Canada. On the 6th of January, 1813, general Armstrong was advised, by major general Harrison, of these particulars.

In the month of May, B. G. Orr, esquire, one of the contractors, reported himself to general Harrison, who addressed to him a letter, in the words following:

*"Head quarters,*

*Franklinton, May 19, 1813.*

"SIR,—You will be pleased to provide for the issuing of provisions at such places within the settlements as brigadier generals M'Arthur and Cass, and major Bartlett, the deputy quarter master general, may require. I can give no direction with regard to the forwarding of provisions to the frontiers, or the lakes; nor information as to the delivery of those which the government have accumulated there, until I receive further information from the secretary of war. But the posts of Cleveland and Lower Sandusky having been exclusively furnished by the late contractor, (Mr. Porter) it will be necessary that you make immediate arrangements for issuing at both those places by the 1st of June. Provision should be made at



Cleveland for at least eight hundred daily issues, and at Lower Sandusky for four hundred.

I am, respectfully,

Your humble servant,

(Signed) WM. HENRY HARRISON.

*Benjamin G. Orr, esquire,*

*Contractor to the 8th military district."*

In the month of June a copy of the contract, with instructions, was received by major general Harrison, from which instructions the following is an extract:

*Extract of a letter from the secretary of war to general Harrison, dated may 31st, 1813.*

"Herewith enclosed you will receive a copy of the contract for supplying the troops in the State of Ohio. You are authorized to fill up the blank attached to the copy, and to appoint agents to deliver over to Messrs. Orr and Greely such provisions now in deposit as you may deem proper to issue, according to the agreement, taking their duplicate receipts for the same; one of which must be transmitted to the accountant of this department, and one to the superintendent general of military supplies, that Orr and Greely may be held accountable for the provisions so received."

On the receipt of these instructions, major general Harrison addressed a letter to B. G. Orr, esq. in the following words:

*"Head quarters, Franklinton, June 20, 1813.*

"SIR,—I am directed by the secretary of war to complete the arrangements with you for turning over to you all the provisions which have been purchased on the public account.

"It is necessary, therefore, that you should immediately meet me at Lower Sandusky, in order that the business may be finished as soon as possible. I have directed that no issues of provisions be made, on your account, at any of the posts where the public have them. There is, I imagine, full as much provisions on hand, the property of the United States, as will be wanted for the campaign, some fresh beef excepted.

I am, &c.

(Signed) WM. HENRY HARRISON.

*Benjamin G. Orr, esq.*

*Contractor to the 8th military district."*

In consequence of this letter a meeting appears to have taken place, on the 22d June, between Mr. Orr and general Harrison at Franklinton, when a proposition was made, in writing, by Mr. Orr, relative to the terms on which the contractors would receive the public provisions. The precise nature of this proposition is not known, as no copy of Mr. Orr's letter has been furnished to this department. It appears, however, that an answer was given by general Harrison in the following words:

*"Head quarters, Franklinton, June 22, 1813.*

"SIR,—Your letter of this date is now before me; the proposition contained in it cannot be acceded to. The only arrangement which I think myself authorized to make, is that of delivering over to you all the public provisions, of every description, which have been purchased for the army, and taking your receipt for it in the manner prescribed by the secretary of war's instructions. I must observe, also, that most of the provisions are placed in situations where it was never intended they should be used; nor can I say how far the United States will be bound to pay for the transportation of it. This question will remain for the determination of the secretary of war. I have, also, to inform you that a contract exists, and is

now in operation, for transporting the provisions which are at Norton and Upper Sandusky to Lower Sandusky. The public teams are, also, engaged in this business. Should it be determined that the contractors are to pay the expense of transportation, all that is transported after this day will, of course, be charged to them. I cannot give you a correct statement of the provisions we have on hand; it is, however, sufficient to serve the whole of the troops to be employed within this district, and in the operations against Detroit and Malden, at least, until the 1st of December next.

I am, very respectfully,

Your humble servant,

(Signed) WM. HENRY HARRISON.

*B. G. Orr, esq.*

*Of the house of Orr & Greely, Contractors."*

Major general Harrison and the contractor not agreeing as to the manner in which "the blanks, attached to the contract, should be filled up," the question seems to have been referred to the secretary of war, as appears from the following extract of a letter from general Harrison to the secretary of war:

*Extract of a letter from gen. Harrison to the secretary of war, dated Franklinton, June 24, 1813.*

"Mr. Orr, the contractor, declines taking the public provisions until he can see you, for which purpose he sets out this morning for Washington. He complains of the want of funds, and asserts that he has purchased, or left money to purchase, a considerable quantity of provisions at Cleveland: this he ought not to have done, at least not to a greater amount than for the temporary supply of Cleveland and Lower Sandusky, as he knew of the immense supplies we had on hand."

Subsequent to this period there does not appear to have been any orders given by the secretary of war to general Harrison, in relation to the turning over the public provisions to the contractors; nor was the additional agreement attached to the contract ever executed. And on the 4th of August Mr. Orr addressed a letter to the secretary of war in the following words:

*"Washington, 4th August, 1813.*

"SIR,—You will do me the justice to recollect how repeatedly and urgently I have advised the purchase of the provisions now at Cleveland and its neighborhood, to guard against the possibility that general Harrison may not be entirely correct as to the time to which those on hand of the last year's purchases may serve. On your assurances, whilst treating for the contract in which I am concerned, that the subsistence of the army by land carriage from the interior of Ohio, was abandoned, I shall fully rely; and shall consider your refusal to furnish the means of buying the provisions now to be had on the lake, and general Harrison's letter of the 22d of June, as notices to the contractors not to attempt to secure them. Of this letter I subjoin a copy; and relying confidently on the *unerring wisdom* and *foresight* of the general, will take it for granted that the supplies therein spoken of as sufficient for the whole of the army within our district, at least until December next, will, when added to those we have been called on to supply, and are now issuing, secure the army from want until the month of April next.

"The waters leading into the Ohio and lake Erie are so low in the fall, and so obstructed by ice in the winter, as to be wholly un navigable; hence, if the provisions in the Connecticut Re-

serve are suffered to escape, April will be the earliest period that can be relied on for supply by water; and hence, too, the dangerous consequences that may result from an erroneous estimate of the stock on hand, either in quantity or condition, and from a want at a season which can be relieved by no other means than the ruinous, if not impracticable one, of land carriage.

"I write this letter with no view to extort money from you. On that point I am answered. But solely to apprise you of the exoneration the contractors will think themselves authorized to claim, from all the consequences that may ensue, from an ill judged and misinformed dependence on the stores on hand, and from a renewal of the scenes of last fall and winter, on the same theatre, and on the same account.

I am, &c.

(Signed)

B. G. ORR.

Honorable John Armstrong,  
Secretary of War."

The acting secretary of war has entered into these minute details, as he considers that the difference of opinion between the commanding general and the contractors, in relation to the turning over of the public provisions, led to consequences which have a material bearing on the inquiry requested by him.

1st. The continuing the commissariat for the preservation and issue of the public provisions, and the consequent exercise of the discretion of the commanding general as to the time, place and manner of issuing these provisions.

2d. The commanding general exercising this discretion as to the issues of the public provisions, the contractors were necessarily limited in their issues to the times and places at which they were specially required to issue; and it may be added that they claimed an exemption from any responsibility, for a failure on either part, to comply with the requisitions which might be made upon them, in consequence of the happening of certain contingencies, over which they had no control, as specified in the letter addressed by Mr. Orr, on the 4th of August, 1813, to the secretary of War.

To these consequences may be traced, nearly, if not all, the complaints made by the contractors, for injuries sustained by them, in consequence of the interference of the commanding general with their contract, as specifically stated in the affidavit of Mr. Orr, marked B. one of the documents referred by the House of Representatives to this department.

To meet the inquiry proposed by general Harrison, "whether any injury was done to the contractors by any order given by him to the purchasing or special commissaries of the army?" it will be necessary to decide,

1st. Was the conduct of general Harrison, in relation to the turning over of the public provisions to the contractors, in the month of June, 1813, correct or not?

2d. If correct, did he exercise a sound discretion (with a view as well to the interests of the United States as to the rights of the contractor) in relation to the measures which were taken by him for the issue and supply of provisions, by the issuing and purchasing commissaries, pending the contract of Orr and Greely?

On these subjects, the acting secretary of war forbears to offer an opinion; considering it more proper to submit, in detail, the facts herein stated, and to refer to the affidavit of Mr. Orr, and to the

statement of general Harrison, dated the 20th of December, 1815, marked C, which he conceives will enable the House satisfactorily to decide upon them.

The other points on which major general Harrison has requested an inquiry, are,

1st. Whether any supplies were ever demanded of the contractors, "Orr and Greely, which were not called for by the state of the army, and warranted by the conditions of their contract?"

It does not appear from the evidence, contained in the documents referred to this department, that any such supplies were ever demanded of the contractors by major general Harrison; nor is it understood that any such allegation has been made by the contractors.

2d. "Whether there is reason to believe that any sentiment of hostility existed in his mind towards the said contractors, and which operated injuriously to their interests; either by forcing them to do what was unnecessary, or withholding from them any thing which they had a right to claim?"

An inquiry into the motives of individuals is always a delicate one, and rarely productive of satisfactory results. It is, however, believed that other and more legitimate motives than those arising from sentiments of personal hostility to the contractors, may be justly assigned for the conduct of the commanding general, in all those cases where the contractors allege that that conduct has produced effects prejudicial to their interest.

3d. "Whether there is any reason to believe that any connexion (other than that which the relation of their commissions necessarily produced) existed between him and any of the staff officers of the army?"

No imputation of this kind has been made by the contractors; Mr. Orr disavows any such; and the documents referred to this department afford no evidence that could justify it. On the contrary, it appears from the deposition of James Findley and Jacob Burnet, (marked D) that the situation of general Harrison, in relation to his pecuniary affairs, was worse when he returned from, than when he entered into the service.

4th. "Whatever relates to the expenditure of public money for the support of the north western army, as far as he may have been concerned."

The statements marked E. F. G. will exhibit the sums which have been paid by the war department on account of purchases made by the commissaries, as well for supplies furnished by the contractors for the support of the north western army, from the period general Harrison took the command of it in September, 1812, until the 1st of June, 1814, amounting to one million one hundred and sixty thousand dollars. No part of this sum has been advanced to general Harrison.

All which is respectfully submitted.

GEO. GRAHAM,

Acting Secretary of War.

#### GEORGIA INDIAN LANDS.

From the Georgia Journal.

The following memorial to the President of the United States, which remonstrates in forcible, yet respectful terms against the treaty concluded between gen. Jackson and the Creek Indians, in 1814, has passed both branches of the general assembly of this state, unanimously:

IN SENATE, 4th DEC. 1816.

Your memorialists beg leave to address his ex-

excellency the president of the United States, and to lay before him their views on a subject highly interesting to the people of this state, and entitled to the serious attention of the national government. This subject, to which your memorialists respectfully solicit the attention of your excellency, is the stipulation in the articles of agreement and cession, entered into on the 24th of April, 1802, between the commissioners of the United States, in which the United States have pledged themselves, to extinguish the Indian title to all lands within the limits of Georgia.

The citizens of Georgia, satisfied with this stipulation of the compact, and reposing great confidence in the disposition of the general government to fulfil every engagement of the United States, and particularly this, flattered themselves with the hope, that the treaty of general Jackson would have obtained a further cession of territory, and established a line, with a much greater respect for the interests of Georgia, than that treaty has evinced.

No crisis ever presented such prospects of an advantageous extinguishment of Indian title, as the period of the treaty referred to. A severe chastisement had been inflicted on the Creeks, their power was broken, their arrogance subdued; and it only became necessary, under these circumstances, to have demanded and obtained an accession to such terms, as the United States, looking to their compact with Georgia, might have thought proper to have dictated. These circumstances were not permitted, however, to have their appropriate weight of influence, and therefore the citizens of Georgia have found themselves mortified and disappointed in all the expectations they had formed of the results of this treaty. In advertising to the boundaries of the treaty, it will be readily perceived, that the two great objects which should always have been in view; an extension of settlement and security of frontier, have been greatly, if not totally, neglected.

Your memorialists, referring to the most approved maps of the Creek nation, think these facts clearly established. That the course from the Chatahoochie, running due east, "to a point which shall intersect the line now dividing the lands claimed by the Creek nation, from those claimed by the state of Georgia," will throw the rivers Ocmulgee and Altamaha on the left, and will strike the Georgia line a short distance, or not far below the fort commonly called "Fort James," and consequently leave the Indian title unextinguished to the narrow, but important slip of land for the whole distance along and between the line and the river Ocmulgee.

Now it appears to your memorialists, and, after proper consideration, your excellency must be convinced, that Georgia has derived little or no advantage from the establishment of this line; or, leaving out of view the sterile and unprofitable territory acquired, it can scarcely be expected, that our citizens, or emigrants from any section of the United States, would occupy a territory, having on one side the Spanish line, and the Indians between them and the settlements in Georgia. Such would be their situation according to the line established in the treaty of general Jackson.

Your memorialists beg leave further to represent, as a just ground of complaint, that according to the treaty concluded by gen. Jackson, all the territory left for the use of the Creek nation of Indians, lies either within the limits of Georgia, or

stretches along its western boundary. The consequence of this state of things must be obvious.

The government of the United States will now find it extremely difficult to obtain a further extinguishment of Indian title, in the very quarter where, by positive compact, they were most bound to obtain it, and have, with their own act, rendered a compliance with their solemn engagement to Georgia distant and precarious.

Your memorialists, believing that in this treaty the interests of Georgia have been abandoned, or at least overlooked, and that she can now, or at any other period, rightfully claim of the United States a more satisfactory compliance with the stipulation of their compact, do, for and in behalf of the citizens of Georgia, protest and remonstrate against such treaty, so far as it relates to extinguishment of Indian title within the limits of said state; and do further, for and in behalf of the citizens of said state, request, that measures may be taken, as speedily as circumstances will permit, to procure an additional cession of territory, and extinguishment of Indian title, conformably to the stipulation contained in the said article of agreement and cession, entered into between the commissioners of Georgia and of the United States.

#### ON A COMMISSARIAT.

Washington, Dec. 16, 1816.

SIR,—In reply to your communication relative to the supply of rations to the army, I have the honor to state,

1st. I have not a doubt but a well organized commissariat would ensure a *safer, a cheaper, and in every respect a better supply* than the present system of contract; nor have I heard of a doubt upon the subject, excepting only as to the expense.

Upon this point it may be remarked, that most of the contractors have made very handsome profits, and many of them indeed great fortunes, under contracts apparently reasonable.

Contractors are in the habit of employing an agent for each post, and in some cases confiding to sub-contractors the supply of particular departments or posts.

It is not likely that a man of business, who is honest and discreet, would bid off the contract without a pretty certain prospect of profit.

Could the government find no man to place at the head of the commissariat, as well qualified to superintend the supply of rations as one of the late contractors, or none equal in honesty, industry and capacity, to the late agents of the rich contractors, in this case the contract system should be preferred.

If a contractor can make a clear profit, the public, by their commissariat, may do so likewise; and, therefore, the latter will be the cheaper mode of supply.

The public would, in this case, save the exact amount which, under the contract system, would fall into the hands of the contractors. But, even supposing the contract to be bid off at too low a rate to enable the contractor to make any clear profit; supposing the contractor to be actuated alone, in the supply of rations to the troops, by the purest patriotism, without the prospect of making money, still the commissariat would be preferable; because, a contractor, having no possible prospect of making money, would be constantly embarrassed with the apprehension of losing money; and

in every purchase he would see before him the wretched alternative of selecting the cheapest, and consequently the worst provisions, or being involved in bankruptcy and ruin.

The choice of these evils can readily be imagined. It is a choice, as most officers who have had separate commands can testify, that has imposed upon our troops the cheapest and coarsest provisions; and which have, on many occasions, been so much damaged as to sicken and kill hundreds of our men.

Upon this subject, I beg leave to call the attention of your honorable committee to the official reports and returns of the army, stationed at French Mills, in the autumn and winter of 1813, to February, 1814; by which it will be seen that out of about — men — were sick at once; and that from the 18th November to the 1st February, there were — deaths! and I feel warranted by the reports of the medical staff, particularly those of doctors Ross, Lovel and Woodbury, as well as by my own observation, in saying that for the most part the disease and deaths at that place proceeded from the damaged provisions which the troops were compelled to eat, or to eat nothing.

The sufferings of the troops, from a similar cause, at many other places, during the war, were not much less severe than at French Mills: inso-much, that I have not a doubt that we have lost more men by disease, contracted principally in the use of bad provisions, than we have lost by the fire of the enemy. Besides, the military system which comprehends individuals not subject to military law, and under the positive control of the commanding officer of an army, is radically defective, and calculated to paralyze a military body. An army, immediately dependent upon any other, except the single military head, is a monster; and although its native prowess may often force it, with all its deformities, to victory; yet, to make victory more sure, the immediate military head should command the whole strength and resources immediately connected with the army under him.

The supply of rations is vitally important to the very existence of an army; it is infinitely more so than the supply of clothing, of pay, or even of arms and ammunition.

An army could, by sudden changes of position, preserve itself for weeks or months without the latter, but the most patriotic band could not be kept together for more than a few days without rations. Should any officer of the ordnance department attempt to palm upon the army damaged powder, or even damaged flints, surely no man could doubt the propriety of prompt military punishment for such an offence; and yet, under the present system, damaged rations have been forced upon the troops, and many of them thereby sickened and killed, without any remedy being provided against contractors, save only the miserable force of an *action upon the case*.

It is true, that, under the contract system, damaged provisions may be refused and destroyed, and the general may order the quarter master, upon the failure of the contractor, to purchase the proper supplies.

The regulations look very well indeed upon paper. They seem to afford reasonable security against the evils which they were intended to obviate. But what are they in practice?

The general requires the contractor to furnish twenty days' complete rations for 10,000 men, at a given point upon the frontier. The contractor

reports the supply deposited at the place and time appointed. The army arrive near the enemy; every officer and every man is necessarily occupied in preparing for action. In the mean time, it is found, in reviewing the provisions, that a great portion of them are damaged. The inspection takes place, and the provisions are condemned, and the army left destitute.

The general will probably be compelled either to make a premature offer to bring on an action—be beaten, or make a disgraceful retreat, or he must endeavor to subsist his army upon damaged rations. The troops are dispirited, sickened, and many of them desert; and yet the contractor is screened from military punishment. He abandons his contract whenever he finds it to be unproductive of gain. The quarter master is then compelled to leave his regular duties, and, without due time, or at any previous arrangements, to avail himself of the best markets, in a country where little can be got at any price, he is obliged to purchase such supplies as the country will at once afford, and is often compelled to give any price which a knowledge of the pressing calls of the service may induce the avaricious seller to demand.

2d. The organization of the commissariat should be as follows:

The chief should have the rank, pay and emoluments of the adjutant inspector general, and be stationed at the seat of government. Next to the chief there should be attached to each division of the army a commissary general, with the rank, pay and emoluments of an adjutant general; also, an assistant for each department, with the rank, pay and emoluments of an assistant adjutant general; and for each post an issuing commissary, with the rank, pay and emoluments of a lieutenant.

Candidates for these appointments should be required to exhibit to the department of war proper evidence of character and qualifications, and to be appointed and commissioned in the same manner, and take the same oath, as officers of the line of the army; and enter into bond, with approved security, for the faithful performance of their duties.

The rank of these officers should in no case entitle them to command in the line, except when specially ordered thereto by the commanding general. Rank, however, should be given them, because without it they would often be subject to the embarrassing control of young inexperienced officers, and would fail to command in the lower grades of the army that respect which rank is necessary to produce.

The chief of the commissariat should have the control of the officers and other persons employed in his department. And, under the direction of the war department, should superintend the purchase and supply of rations, &c. &c.

It should be the duty of the commissaries of divisions and departments to make all purchases of the component parts of rations, and forward the same to such place and in such quantities for issue as the general or officer commanding the departments may direct respectively, and to make unexpected visits to the different posts, inspect the provisions and regulate the issues, the accounts and abstracts, &c.

The purchasing as well as the issuing commissaries to be required to make monthly as well as quarterly statements of the amount of cash received and expended, the quantity of provisions purchased, and the quantity issued since last return.



as well as the quantity and quality of the provisions on hand. These statements to be certified upon honor, and forwarded to the chief of the department, and a duplicate thereof sent to the general or public officer commanding. They will moreover be required to render quarterly accounts in such form as may be prescribed by the war department.

In this way the state of the supplies and accounts of each officer of the commissariat will be distinctly understood monthly, and quarterly, by the chief of the department; who, possessing the power to arrest or suspend any delinquent, would prevent or promptly detect every irregularity. But the most effectual check will be found in the general officers commanding divisions, departments and principal posts, who, in addition to the power to arrest and try officers, should be authorized to receive from them all public moneys, and supply the place of such delinquent officers by temporary appointments until the casual vacancies should be filled.

It is the duty of the inspector to inspect the troops and supplies of each post and corps once in two months: in addition to this he may be instructed to inspect the provisions particularly as to quality and quantity, and compare the same with the monthly report of the commissary, and in all cases of neglect or omission on the part of such commissary he will be punishable by the sentence of a general court martial.

It seems to be admitted by all, that in time of war the commissariat would be decidedly preferable to the contract system.

This I consider to be a conclusive argument in favor of the immediate adoption of the measure. If any branch of military knowledge is necessary for a state of war, its practical introduction in time of peace cannot but be proper, if it be practicable. The commissariat particularly should be organized and put into operation in time of peace.

I have the honor to be,

Very respectfully,

Your most obedient servant,

EDMUND P. GAINES.

The hon. JOHN WILLIAMS,  
Of the Senate, Chairman of  
the Military Committee.

#### NATIONAL FLAG.

The committee of the House of Representatives of the United States appointed to inquire into the expediency of altering the Flag of the U. States, beg leave to report:—

That they have maturely examined the subject submitted for their consideration, and are well aware that any proposition essentially to alter the flag of the United States, either in its general form or in the distribution of its parts, would be as unacceptable to the Legislature and to the people, as it would be uncongenial with the views of the committee.

Fully persuaded that the form selected for the American flag was truly emblematical of our origin and existence as an independent nation, and that, as such, it has received the approbation and support of the citizens of the Union, it ought to undergo no change that would decrease its conspicuity, or tend to deprive it of its representative character. The committee however believe, that a change in the number of States in the Union, sufficiently indicates the propriety of such a change

in the arrangement of the flag, as shall best accord with the reasons that led to its adoption, and sufficiently point to important periods of our history.

The original flag of the United States was composed of thirteen stripes and thirteen stars, and was adopted by a resolution of the continental Congress, on the 14th of June, 1777. On the 13th of January, 1794, after two new states had been admitted into the Union, the national Legislature passed an act that the stripes and stars should, on a day fixed, be increased to fifteen each, to comport with the then number of independent States. The accession of new States since that alteration, and the certain prospect that at no distant period the number of States will be considerably multiplied, render it in the opinion of the committee, highly inexpedient to increase the number of stripes, as every flag must in some measure, be limited in its size, from circumstances of convenience to the place on which it is to be displayed, while such an increase would necessarily decrease their magnitude, and render them proportionably less distinct to distant observation. This consideration has induced many to retain only the general form of the flag, while there actually exists a great want of uniformity in its adjustment, particularly when used on small private vessels.

The national flag being in general use by vessels of almost every description, it appears to the committee of considerable importance to adopt some arrangement calculated to prevent, in future, great or extensive alteration. Under these impressions, they are led to believe no alteration could be made emblematical of our origin and present existence, as composed of a number of independent and united States, than to reduce the stripes to the original thirteen, representing the number of States then contending for, and happily achieving, their independence; and to increase the stars to correspond with the number of States now in the Union; and hereafter to add one star to the flag whenever a new State shall be fully admitted.

These slight alterations will, in the opinion of the committee, meet the general approbation, as well of those who may have regretted a former departure from the original flag, and such as are solicitous to see in it a representation of every state in the Union.

The committee cannot believe that in retaining only thirteen stripes, it necessarily follows they should be distinctly considered in reference to certain individual states, inasmuch as nearly all the new states were a component part of, and represented in, the original states; and inasmuch, also, as the flag is intended to signify numbers, and not local and particular sections of the Union.

The committee respectfully report a bill accordingly.

#### FOREIGN DOCUMENTS.

##### FROM HAYTI.

A respectable mercantile friend has put into our hands a French copy of the correspondence between Petion and the commissioners sent by Louis XVIII. to negotiate with him respecting the recolonization of Hayti. The following proclamation may be considered as exhibiting the spirit in which that negotiation was treated by Petion, and his resolute rejection of any attempt to encroach

upon the liberty and independence of the people of whom he is the chief.

[Translated for the Patriot.]

**LIBERTY.**

**EQUALITY.**

# **REPUBLIC OF HAYTI.**

**PROCLAMATION.**

*Alexander Petion, president of Hayti, to the people and the army.*

The French flag has appeared on our coast, and the king of France has sent commissioners to Hayti.

Under what circumstances did they present themselves? at the moment that we were about consecrating the edifice of our laws! at the moment that I was called by your choice to defend it! at the height of the enthusiasm of a nation the most jealous of its rights, have they proposed to compromise them! for what advantages? are there any preferable to these we enjoy? There does not exist a Haytian whose soul is sufficiently lukewarm to consent to retrace his steps in the path our glory has urged us on; our duties are pointed out; nature gave them birth; she has created us equal with other men; we will sustain them against all who dare conceive the criminal desire of subjugating us. They will only find on these shores ashes mixed in blood, the sword, and an avenging climate.

On this occasion, as on that which preceded it, you have shown the same circumspection and the same respect for the rights of men. You have calculated your strength, and in leaving to your magistrates the task of explaining your dearest interests, you have patiently awaited until they explained what they had done for you; your confidence shall never be betrayed.

The authority rests on your will, and it is your will to be free and independent; you shall be so; and we will give the terrible example to the universe of burying ourselves under the ruins of our country, sooner than return to servitude, even in the most modified form.

Whilst Europe entire unites at the call of philanthropy to annihilate even the trace of that most polished nations meditate and plan a general emancipation; of those who still groan under oppression; we observe with grief, governments, who style themselves the most religious, nourishing principles which justice and humanity condemn.

Haytians, your protection is your arms; reserve them for those that may disturb you, and let your labor enrich a soil whose fruits you only shall collect.

I have had printed my correspondence with the commissioners of the king; it will be placed under your eyes—I have done my duty, and my duty is yours.

Signed at the National Palace of Port au Prince, 12th November, 1816, the 13th year of the Independence of Hayti, &c. &c.

**PETION.**

**B. INGINAC, Sec'y General.**

## **SPEECH OF LOUIS XVIII.**

*Paris, November 4.*

At one o'clock this day the king proceeded in state to the chamber of deputies, and the peers and deputies being present in the costume of their respective houses, his majesty delivered from the throne the following speech:

"GENTLEMEN—In opening this new session, it is

extremely agreeable to me to have to rejoice with you on the benefits which divine providence has deigned to bestow upon my people and upon me.

"Tranquillity reigns throughout the kingdom; the amicable dispositions of the foreign sovereigns, and the exact observance of treaties, guarantee to us peace without; and if a senseless enterprise has for an instant caused alarm relative to our interior tranquillity, it has only served to elicit a further proof of the attachment of the nation, and of the fidelity of my army.

"My personal happiness has been increased by the union of one of my children (for you know, my brother's are mine) with a young princess, whose amiable qualities seconding the attentions of the rest of my family, promise me a happy old age, and will give, I trust, to France, new pledges of prosperity, by confirming the order of succession, the first bases of this monarchy, and, without which no state can be in safety.

"To these blessings, it is true, there are annexed real pains. The intemperance of the seasons has delayed the harvest; my people suffer, and I suffer more than they do; but I have the consolation of being able to inform you, that the evil is but temporary, and that the produce will be sufficient for the consumption.

"Great changes are unhappily still necessary; I shall order to be laid before you a faithful statement of the expenses that are indispensable, and of the means for meeting them. The first of all is economy. I have already made it operative in all parts of the administration, and I labor without ceasing to make it still more so. Always united in sentiment and intention, my family and myself will make the same sacrifices this year as the last, and, for the rest, I rely upon your attachment and your zeal for the good of the state, and the honor of the French name.

"I continue with more activity than ever my negotiations with the holy see, and I have the confidence that their happy termination will restore perfect peace to the church of France. But this is not all, and you will be of opinion with me, no doubt, that we ought not to restore to divine worship that splendor which the piety of our fathers had betowed upon it, (that would unfortunately be impossible) but to ensure to the ministers of our holy religion an independent income, which shall place them in a condition to be able to follow the steps of Him, of whom it is said, **THAT HE DID GOOD WHEREVER HE WENT.**

"Attached by our conduct, as we are in heart, to the divine precepts of religion, let us be also attached to that charter, which, without touching any dogma, ensures to the faith of our fathers the pre-eminence that is due, and which, in the civil order, guarantees to all a wise liberty, and to each the peaceful enjoyment of his rights, of his condition, and of his property. I will never suffer any attack to be made upon that fundamental law, my ordinance of the 5th of September sufficiently shows it.

"In fine, gentlemen, let all hatreds cease; let the children of the same country, I dare add, of the same father, be really a people of brothers, and that from our past evils, there remain to us only a sad but useful recollection. Such is my object, and to attain it I rely upon your co-operation; but, above all, upon that frank and cordial confidence, the sole solid basis of an union, so necessary between the three branches of the legislature. Rely

also upon the same dispositions in me, and let my people be well assured of my unshaken firmness in repressing the efforts of malevolence, and in restraining the impulse of a too ardent zeal."

## NATIONAL LEGISLATURE.

### SENATE.

**Monday, January 6.**—The motion to proceed to the appointment of a new assistant door keeper was postponed for four weeks.

Mr. Macon, from the committee on the subject, reported a bill for modifying the public offices in a manner nearly conformable to the plan reported by the secretaries of the several departments.

Mr. Fromentin, from the library committee, reported a bill making an appropriation for purchasing certain books to be added to the present congressional library.

These two bills were read and passed to a second reading.

The resolution, moved by Mr. Varnum, to inquire into the expediency of repealing the law (except as to the clerk and secretary) raising the salaries of the officers of the two Houses, which passed at the last session, was agreed to.

A resolution, moved by Mr. Lacock on Friday, directing the military committee to inquire into the expediency of raising the pay of the regimental and battalion paymasters of the army, and giving them rank, was agreed to.

Among the bills reported this day was one by Mr. Morrow, "to increase the salaries of the register and receiver of public moneys of the land office at Marietta."

Mr. Sanford, from the committee to whom these subjects were referred, reported a bill "to provide for the prompt settlement of public accounts," another "to establish a new executive department," and a third "concerning the attorney general of the United States," requiring his presence at the city of Washington, &c.

These bills were read and passed to a third reading.

**Tuesday, Jan. 7.**—Mr. Hardin submitted for consideration the following motion.

*Resolved*, That the committee on finance be instructed to inquire into the expediency of requiring the attorneys employed in the collection of the moneys due to the United States, to give bond and security for the faithful accounting for all demands placed in their hands for collection; with leave to report by bill or otherwise.

Mr. Tat laid before the Senate the following motion:

*Resolved*, That the secretary of the navy lay before the Senate any information in the possession of the navy department, respecting any surveys and examinations which may have been had in the Chesapeake bay, in reference to a site for a naval depot.

Mr. Goldsborough laid before the Senate the following motion:

*Resolved*, That the President of the United States be requested to cause to be laid before Congress the amount of money paid by the government of the United States for the services of militia, during the late war, stating the amount to each respective State, and distinguishing, as far as possible, what has been paid for the militia called into service by authority of the executive of the United States, and that paid for such calls made

by authority of a State, and in what cases States have been reimbursed, which have made advances for their militia, specifying the State in each case as before.

These resolutions lie on the table one day of course.

Mr. Campbell, from the committee on finance, reported the following bill:

A bill requiring the directors of the bank of the United States to establish an office of discount and deposit in the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the president and directors of the bank of the United States be, and they are hereby required to establish a competent office of discount and deposit in the District of Columbia, pursuant to the provisions of the act to incorporate the bank of the United States, passed the 10th day of April, 1816.

Accompanying this bill, Mr. Campbell handed in the following document:

*Letter from the Secretary of the Treasury to the Committee.*

Treasury Department, Dec. 29, 1816.

SIR—In reply to your letter of the 20th instant, requesting me to furnish information as to the expediency of requiring the directors of the bank of the United States to establish in the City of Washington, a competent office of discount and deposit, with my opinion of the facilities which would result from that measure in the management of the national finances, and the advantages which might be expected to accrue from it to the public interest; I have the honor to state, that, in the present disordered state of the currency, the establishment of a branch bank in the city could not fail to be highly useful in the management of the national finances. During the existence of the former bank of the United States, when the evils of a fluctuating and depreciated currency did not exist, it was deemed expedient that a branch bank should be established in this city, for the convenience of the treasury, notwithstanding there were several incorporated banks within the District. From the best information which I have been able to collect, there is good reason to believe that the effects of a branch bank in the District of Columbia, will be highly beneficial to the public, and advantageous to the bank of the United States. As an evidence of this opinion, it is proper to state, that the banks of Alexandria and Washington, both chartered and unchartered, have applied to the treasury department to use its influence with the bank of the United States, to have a branch established within the District. In a national point of view it would seem to be proper, that the seat of the federal government should have the immediate benefit of an institution which has been created with the express view of aiding the exertions of the government to restore the circulating currency to the specie standard, and in fact of giving a currency to the nation, which shall every where be of equal value with gold and silver. The power reserved by the government of compelling the establishment of a competent office of discount and deposit within the District, it is presumed was the result of a general conviction of the propriety, if not the necessity of that measure.

I have the honour to be, &c.

WM. H. CRAWFORD.

Hon. G. W. Campbell,

Chairman of the committee of finance.

These bills were read and passed to the second reading.

The bills yesterday reported were read a second time.

And the Senate adjourned.

#### HOUSE OF REPRESENTATIVES.

Friday, January 3.—After the reception of sundry petitions—

Mr. Herbert, from the committee on the District of Columbia, reported a bill to provide for the erection of a court house and jail in the county of Alexandria; which was twice read and committed.

On motion of Mr. Thomas, the committee on the judiciary were instructed to inquire into the expediency of making an additional judicial district in the eastern part of the Mississippi Territory, to be composed of the counties of Washington, Clark and Monroe, and such other counties as the legislature of the territory may lay off between the rivers Tennessee and Alabama.

On motion of Mr. Parris, the committee on military affairs were instructed to inquire into the expediency of so modifying the act of last session, making further provision for military service during the late war, as to extend the time in which the guardians of the minor children of deceased soldiers may relinquish the bounty land, and claim the half pay, as provided by the 2d section of the aforesaid act.

On motion of Mr. Clendenin, the committee on pensions and revolutionary claims were instructed to inquire into the expediency of causing the widows and orphans of the non-commissioned officers and privates of militia and volunteers, who died in the service of the United States previous to the 31st of October, 1812, to be placed on the pension roll at the same rate as the widows and orphans of the above described corps, who died subsequently to the said 31st of December, 1812.

On motion of Mr. Dickens of N. C. the committee on military affairs were instructed to inquire into the expediency of providing by law for the relief of such of the officers and soldiers of the revolutionary war, who served faithfully, and are now reduced to want and unable to support themselves.

On motion of Mr. Reynolds, so much of the president's message at the last session, as relates to the confirming the title of gen. Jackson to certain lands, granted to him by the friendly Creek Indians, were referred to the committee on private land claims.

The House then went into a committee of the whole, on the report of the committee of elections, on the petition of Rufus Easton; which report pronounces Mr. Scott, the sitting delegate from Missouri Territory, not entitled; also Mr. Easton, the petitioner, to be entitled to a seat in this House. [The committee, it appears, have framed their report on the ground of gross and undeniable illegality of the election in one of the districts in the territory; which election being set aside by the committee, gave a majority of votes to the petitioner, and, without going into the examination of individual votes, or the qualification of the voters, the election being by ballot, they declare in favor of the petitioner.]

The report and documents being read, the committee rose and reported progress, and were refused leave to sit again; thus bringing the subject immediately before the House.

Mr. Webster moved the recommitment of the report to the committee of elections, with instructions to receive evidence that persons voting for either candidate were not entitled to vote on the election.

On this motion a wide debate took place, chiefly on the point whether votes given by ballot, and of course privately, could be afterwards ascertained, or the voter called in to declare for whom he had voted, when the very object of the mode was to afford secrecy and freedom to the elector; then on the eligibility of elections by ballot or of those viva voce, and on the propriety of reversing an election without first ascertaining the legality of the votes which decided it. Besides these main questions in the debate, it embraced an inquiry into the particular circumstances of the case at issue, and many incidental points, by the various speakers.

Those gentlemen who advocated the recommitment were Messrs. Webster, Randolph, Shelley, Calhoun, Pitkin, Telfair and Thomas, and those opposed to it Messrs. Taylor of N. Y. Pickens, Wright and Ross.

On the question to lay the report on the table, the ayes and nays were equal, being each 68, and the speaker decided against the motion.

The question then recurring on the recommitment, much more discussion followed; after which, the petitioner (as allowed by a vote of the House) rose to support his pretensions.

House adjourned.

Saturday, Jan. 4.—Mr. Hugh Nelson, of Va. from the committee on the judiciary, reported a bill for extending the time for locating Virginia military land warrants, and for returning survey thereon to the general land office; and giving further time to complete the surveys and obtain patents for lands located under Virginia resolution.

On motion of Mr. Brooks, N. Y. the committee on the post office were instructed to inquire into the expediency of establishing a post route from Canandaigua, in New-York, to Sheldon.

The house resumed the consideration of the report of the committee of elections on the petition of Rufus Easton, contesting the right of John Scott to a seat in the house as a delegate from Missouri Territory.

Mr. Easton (the petitioner) spoke on the subject at considerable length.

Mr. Betts, N. Y. on the ground that the delegates from territories cannot be considered members of this house, and that of course the house is not the proper judge of the correctness of the returns of their election, moved that the bill should be indefinitely postponed.

Mr. Robertson, of Louisiana, opposed the motion, and repelled the idea of the unimportance of the delegates. The people of the frontier country had rights as well as the people of the States, of which distance ought not to deprive them.

Mr. Wright, of Md. thought with Mr. Robertson, that the house were bound to decide between the sitting member and the petitioner.

Mr. Betts spoke again in support of his motion.

Mr. McKee, of Ky. seconded Mr. Betts's view, the delegates being unknown to the constitution, and authorized by law only, which law did not prescribe or retain the right of judging of the legality of their election. Mr. McKee concluded that the house had no right to examine into the subject, but were bound to take the return as conclusive evidence of the election.



Mr. Ross, of Pa. contended that the right of judging of the correctness of the returns arose from the nature of things; otherwise the right of election, allowed by law to the people, would, in fact, be adjudged to belong to the governor, the returning officer in this case, who might, without appeal from his decision, return whom he pleased.

Mr. Gaston, N. C. quoted the laws on this subject, and contended that the house had no power judicially to decide on the qualification or right of a delegate to a seat in this house, since a delegate was not a member of the house according to the constitution, and there was no provision, in the laws authorizing the territories to send delegates, which gave to this house the power of revising the legality of their election.

Mr. Webster, of N. H. spoke in reply to Mr. Gaston. If the return of a returning officer were to be conclusive evidence, he asked, in the course of his argument, what course would the gentleman pursue, if the returning officer should grant two certificates to different persons? a thing by no means impossible. Should both be allowed to take their seats, or would not the house examine which of the two had the correct return?

Mr. P. P. Barbour, of Virginia, took the same ground as Mr. Webster, contending that the house had a right to examine the validity of the return. Otherwise the absurdity would follow, that any man whatever, claiming a seat as a delegate from a territory, would have a right to take it; whether duly elected or not.

Mr. Gaston quoted cases from other grades of office, which he considered as analogous; that, for instance, of a judge exhibiting a commission from the proper authority; into the legality of which his colleagues of the court have no power further to inquire, than that the certificate is in the usual form, and signed by the executive authority.

Mr. Sheffield, of Virginia, besides the general grounds of opposition to the motion for postponement, was desirous to adhere to the precedent already exhibited by the house, having, in 1809, taken cognizance of a contested territorial election; respecting which it was not at all material that it was not of the same nature of the present question; since, if the house had a right to inquire into the right of a delegate to a seat on one ground they had the same right on any other.

Mr. Cady, of N. Y. was against the expediency, if not the right of the house to inquire into the election of a delegate. He instanced a case, which he contended was analogous; that of a foreign minister, presenting to the President his credentials; suppose another person should present himself. Would the President go into an examination of the relative right of each, and decide which was the true representative of the government? or would he not reject both, and refer them to their constituent authority to remedy the error, if any?

The question on indefinite postponement was decided in the negative by a large majority.

Mr. Hardin, of Ky. contended that the power of judging of the qualifications and returns of its own members (and delegates were *quasi* members) was inherent in every legislative body, and not necessary to be expressly bestowed on it.

Mr. Randolph contended against the power of the house in this respect. If it had power, he contended, it was a concurrent power with the Senate, as the delegates were to the Congress and not to this house, though it had been deemed convenient

and expedient to admit them to seats in this house rather than in the Senate.

Mr. Smith, of Va. was in favour, as the evidence presented itself to him, of the right of Mr. Easton to a seat. If satisfied, by evidence now in a possession of the sitting member, of bad votes having been given, he would be willing to re-commit the report.

Mr. Scott, the sitting delegate, stated that there was now on the table evidence of 115 bad votes, 87 of which were, by the evidence, fixed to have been given for the petitioner.

Mr. Taylor, of N. Y. defended the report of the committee of elections, contending that: the decision of the qualifications of voters at elections ought to be left to the judges of the election in the present case, and in most other cases of contested election, not because this house had not the power, but because it was not practicable for the house properly to scrutinize them. As to the qualifications of the voters, evidence was even now taking in some of the counties of the territory in regard to the qualification of voters, which could not arrive in time to be examined at this session, and which might present a totally different view of the relative good or bad voters.

The question on re-commitment, moved yesterday, was taken by yeas and nays (for the first time called during this session) and decided as follows:

For re-commitment,	86
Against it,	50

The question was then taken on the instructions proposed to be given to the committee, and also decided in the affirmative.

And the house adjourned.

Monday, Jan. 6.—Mr. Lowndes laid before the house a letter addressed to the committee of ways and means, by the secretary of the treasury, respecting the expediency of repealing so much of the act of the 3d of March, 1808, as authorizes the President to transfer appropriations; also, a letter addressed to the committee of ways and means by the acting secretary of war, enclosing detailed statements on which were founded the estimates for the expenses of the army of the United States, for the year 1817, including arrearages; which were read and laid on the table.

Mr. Forsyth submitted the following resolution:

*Resolved*, That the committee on national currency be instructed to inquire whether the president and directors of the bank of the United States have adopted any arrangement, by which the payment of the specie portion of the second instalment can be evaded or postponed, and, if such arrangement has been made, the expediency of adopting some regulation by which the payment of the specie portion of the second instalment may be enforced at the time required by the act of incorporation, or within a limited time thereafter.

This resolution lies on the table.

The speaker laid before the house a letter from the secretary of the treasury, transmitting a statement of the moneys necessary to be appropriated for the year 1817, and a letter from the secretary of state, transmitting a report of patents granted during the year 1816; which were ordered to be printed.

The speaker laid before the house a letter from Richard Bland Lee, commissioner of claims, &c. expressing his regret at the omission to pursue the into his conduct, and courting further in-

vestigation; defending also the decisions, and particularly those three animadverted upon by the committee of claims in their report, and throwing himself upon the justice of the house to rescue his character from unjust obloquy.

The letter having been read, was, on motion of Mr. Forsyth, referred to the committee of the whole, to whom had been referred the bill to amend the claims law.

The engrossed bill to authorize the discharge of Oliver Spellman from his imprisonment, was read a third time and passed.

The house then again resolved itself into a committee of the whole, Mr. Condict in the chair, on the bill authorizing the payment for property lost, &c. in the military service of the United States during the late war; Mr. Johnson's amendment going to substitute a new bill, under consideration.

Mr. Harding rose in support of the report of the committee of claims, and against the amendment. He made some animadversions, as when he spoke before, on the commissioner of claims and his decisions. He denied his competency, and arraigned his awards; but, if he were ever so competent, and as honest as Aristides himself, such were the facilities to fraud in the law, that without amendment of it as proposed by the committee of claims, the United States would be subject to many and great impositions. In regard to the letter of the commissioner of this morning, Mr. H. took occasion to say he did not know under what authority the letter had been introduced into the house; the heads of departments, to be sure, did sometimes dictate to the house, but he never before knew that a little petty commissioner (to use his own expression) had a right to bring forward his lectures to this house how to act, and tell them what ought to be the amendments to existing laws. He did not know, indeed, that the commissioner had any right to address Congress, unless defending himself before them on an impeachment, &c. Mr. H. concluded by expressing his regret that the dignity of the house should have been wounded by the Speaker's imputations on its capacity or disposition to do justice to private claimants.

Mr. P. P. Barbour spoke to sustain the bill before the house and to oppose the amendment; he cited the inequality of the contributions for personal services; the inequality of the prices obtained for produce in various parts of the country; the losses of slaves, &c. all which inequalities, he said, it would be out of the power of the government, if disposed, to obviate. The obligation on the United States, he laid down to be, to indemnify, as matter of right, all those losses produced by an enemy according to the rules of civilized war, and of which the government was the direct and proximate cause of the destruction.

Mr. Comstock suggested a further amendment proposing the appointment of an agent to examine witnesses on the part of the United States, in cases in which the President or the secretary of the treasury shall think it necessary.

Mr. Wright announced his desire to make a few remarks; and at his desire the committee agreed to rise, by a small majority;

And the house adjourned.

Tuesday, Jan. 7.—On motion of Mr. Cannon,

The committee on roads and canals were (on Friday) instructed to inquire into the expediency of improving the navigation of the Muscogee Shoals in Tennessee river.

The Speaker laid before the house a letter from the secretary of the treasury, transmitting a statement of the expenditure and application of the moneys drawn from the treasury on account of the navy, during the year ending on the 30th September, 1815, and of the unexpended balance of former appropriations on the 1st of October, 1815; and also, a letter from the secretary of the treasury, transmitting the annual list of the clerks employed in the treasury during the year 1816, with the salary allowed to each.

Mr. Archer submitted the following resolution: *Resolved*, That the committee on military affairs be instructed to inquire into the expediency of allowing to officers who, during the late war, have been promoted from the ranks of an army, the bounty lands to which they would have been entitled if they had not been promoted.

The resolve was ordered to lie on the table.

On motion of Mr. Tyler, the committee on naval affairs were instructed to inquire into the expediency and propriety of directing the application of the funds arising under the acts of Congress "for the relief of sick and disabled seamen," at the port of Richmond, in Virginia, in aid of the funds of the corporation of that city towards the erection and support of a marine hospital.

On motion of Mr. Gold, the committee on the judiciary were instructed to inquire into the expediency of making provision, by law, for the appointment of a judge for the northern judicial district, in the State of N. Y. to reside in the district.

The Speaker laid before the house a message from the President of the United States, received yesterday, communicating the annual report of the director of the mint.

Mr. Robertson laid before the house sundry reports in relation to land titles in the State of Louisiana, transmitted to him by the commissioner of the general land office; which were referred to the committee on the public lands.

Mr. Irving, of N. Y. offered the following resolution:

*Resolved*, That the committee of ways and means be instructed to inquire into the propriety of amending, by law, that part of the 5th section of the act to regulate the duties on imports and tonnage, which is in the following words: "and in all cases where an ad valorem duty shall be charged, it shall be calculated on the net cost of the article at the place whence imported, (exclusive of package, commission, and all charges) with the usual addition, established by law, of twenty per centum on all merchandise imported from places beyond the Cape of Good Hope, and ten per centum on all articles imported from all other places."

The resolution was agreed to.

On motion of Mr. Reynolds, the committee on post-offices and post-roads were instructed to inquire into the expediency of establishing a post route from Nashville to Clarksville, Tennessee; and also, the extension of the post road from John Hunt's, in Robertson county, Tennessee, to Isabelville, in Kentucky.

Mr. Hardin moved that the committee on military affairs, be instructed to inquire into the expediency of allowing pay and compensation to the mounted volunteers, who, in the year 1813, served in the expedition to the head waters of White River and the Wabash, under the command of Colonel Russell.

Mr. Hardin recapitulated the merits of the corps his resolution referred to.

Mr. Harrison rose to testify to the alacrity of the corps, and the importance of the service they rendered, as well as their hardships and deserts. After which, the motion was agreed to.

Mr. Forsyth called up the resolution submitted by him yesterday, to instruct the committee on the national currency to inquire "whether the president and directors of the bank of the United States have adopted any arrangement by which the payment of the specie portion of the second instalment can be evaded or postponed, &c."

The resolution having been read, a very general discussion arose on it. The question was finally decided in the affirmative, and the resolution agreed to: yeas 80, nays 68.

Mr. Yancey having moved to go again into committee of the whole, on the claims law, the house refused; Mr. Y. was more successful in a motion to discharge the committee of the whole from the further consideration of the said bill; which was agreed to.

And the house adjourned.

Wednesday, Jan. 8.—Mr. Clarke, of N. C. from the committee on land claims, made a report unfavourable to the petition of Peter Snyder, which was read and agreed to.

On motion of Mr. Reynolds, the committee on the public lands were instructed to inquire into the expediency and policy of amending the act, entitled "An act relating to settlers on the lands of the United States," so that all settlers on public lands, who have not leased from the United States, shall remain thereon in peaceable possession one year from the expiration of the existing law; and also, to inquire into the policy of extending the provisions of said act to all those who have settled on the lands lately ceded by the Chickasaws north of the Tennessee river.

The house then proceeded to the order of the day, on the bill to amend the claims law, of last session.

After a debate until 4 o'clock, the question was taken by yeas and nays, on a motion made by Mr. Clarke, of N. Y. to strike out of the bill the word "ninth," the object of which motion is to retain instead of repealing the ninth section of the act of last session, which section authorizes payment for houses destroyed by the enemy in consequence of military occupation; and decided as follows:

For the motion, 74

Against it, 68

So the house refused to repeal the ninth section.

Mr. Johnson, of Ky. renewed in substance the motion he made in committee of the whole, to strike out the whole bill and insert a substitute.

The house adjourned without deciding on his motion.

#### RUINS OF BABYLON.

The editors of the *Mercantile Advertiser* are indebted to Dr. Samuel L. Mitchill for the following interesting communication:

The arrival of captain Henry Austin, of the ship *Persia*, from Asia, has afforded a most curious and uncommon treat to our biblican antiquarians and historians. This gentleman is equal in intelligence and enterprise to any traveller that ever went forth to foreign parts. While he was navigating the Persian Gulf, he conceived the bold design of ascending the river Euphrates, from Barsa to Bagdad. With great expense and labor, and

at the risk of his life, from the difficulties of the ascent, and the barbarous character of the inhabitants, he penetrated Persia for five or six hundred miles.

During this expedition he visited the territory on which ancient Babylon is supposed to have stood, and succeeded in bringing away fragments of the ruins which overspread the ground. These consist of several of the bricks which are supposed to have been materials in the Temple of Belus; some of the cement with which they were connected; and a parcel of the broken reeds which were interposed with the mortar, to render the structure more firm and durable.

The bricks are in good condition, even after the lapse of three thousand years and more. They are of large size, being thirteen inches square, and four inches thick. Being now of the softer quality; they appear to have undergone some process of decay; but they bear traces of fire, that is of having been kiln burned, as well as sun burned. Near the middle of each is a parallelogram of four and a half inches by six, impressed with literal or hieroglyphical characters. They appear to have been very regularly and beautifully done. The characters are different from every known alphabet. All the lines are straight, and there are no crooked strokes. They are evidently arranged in perpendicular columns. All the bricks seem to be marked with the same signs. Of these signs or characters there are seven vertical rows, and seven distinct marks in each row, making forty-nine in the whole. Some of them are repeated several times.

It is believed that they are not susceptible of interpretation by any man living; but that they extend our researches far beyond the era of history, or the period of known symbols. This conclusion, derived from the face of the articles, confirm the genuineness of the offering captain Austin has made to the learned world, by bringing home those wonderful remains. The scholar may reflect that the materials survive both the language spoken at the time they were moulded, and the characters which represented the sounds of that language. He may even look back through the vista of ages to the time when "the whole earth was of one language," and when "the city and tower" of Babel were begun; when the sons of men said one to another "let us make brick and burn them thoroughly;" and when "they had brick for stone, and slime had they for mortar." All may, without any violation of probability, suppose these relics to be parcels of the primitive brick, and the inscriptions, or rather impressions upon their surfaces, to be the memorials of that remote time "when the whole earth was of one language and of one speech." And he may further conjecture that they, both the language and writing are illegible and unknown, because the "Lord did there confound the language of all the earth." Monuments of this kind are now submitted to the view of our admiring citizens, with all their confirmatory evidence.

The pilgrims of Persia, by permission lately obtained from the military despots of the country, made devout visits to the tomb of the prophet Daniel, situated many miles in the desert. Our intrepid and intelligent countryman has brought to New-York a brick, with its inscription, from the door of that resort of the religious. It is of secondary moment whether the legend is true or fabulous. Such a place is at this day famous in

the east, and a relic of it is presented to the curiosity of the west.

There are various other remnants of oriental antiquities, which the writer forbears at this moment to mention.

#### Rates of Interest.

In treating of Mr. Hay's motion in the legislature of Virginia, to repeal all the laws against usury, the Aurora concludes its remarks by saying—"The following state of the rates of interest as they prevailed by usage, or were established by law, in England at different periods, may serve many purposes, connected with the question, particularly as data by which the progress of wealth and the interest on money may be compared:

Anno Domini	1255	50			
	1263	2d. a week for 11	or 43l.	6s.	8
	1270 to 1307		45		
	1422 to 1470		15		
	1545 restricted to		10		
	1553 to 1558		12		
	1571 restricted to		10		
	1574 to 1604 about		9	16	
	1625 reduced to		8		
	1645 to 1660		6		
	1660 to 1690		7	6	6
	1690 to 1697		7	10	
	1697 to 1706		6		
	1714 reduced to		5		

#### FOREIGN AND DOMESTIC SUMMARY.

##### FOREIGN.

Mr. Tilghman, of Philadelphia, sailed from Gibraltar on the 16th of November, in the Chauncey, with despatches for our government from Com. Chauncey, and informs us that the United States' schooner Spark arrived there early in November, with the answer of our government to the demands of the Dey of Algiers. The Java frigate sailed from Gibraltar on the 14th for Malaga; the Washington, 74, Com. Chauncey, the Constellation, Peacock, Erie and Hornet, were to follow on the 17th for the same place, where they would be joined by the United States, Com. Shaw, then at Malaga. The whole squadron would then proceed to Algiers, with the answer of the American government. Mr. Shaler, American Consul for Algiers, was on board the Washington.

Captain Gordon died, and was buried with all the honors of war at Messina. He was free from pain, his spirits good, but gradually wasted from a wound he received in a duel with Alexander C. Hanson, seven years since. On the death of this excellent officer, captain Crane, of the *Erie*, took command of the *Constellation*, and captain Creighton, of the *Washington*, flag ship, took the *Erie*. At Algiers captain Creighton resumed his command of the *Washington*, and captain Gamble succeeded him in the *Erie*. The *Washington* is a very fast ship, beating the whole fleet, by and large, uncommonly stiff, out carrying the whole of them.

We have been informed by lieutenant Henry that the report relative to lieutenant Kuhn having been killed in a duel is without foundation; when the Chauncey left the Mediterranean, lieutenant K. was at port Mahon. The report of the death of captain Downes is also untrue.

##### DOMESTIC.

Mr. Russell, late minister of the United States to Sweden, arrived in this city on Sunday.

The legislature of South-Carolina, highly to its honor, previous to its late adjournment, passed a law to prevent the introduction from any other State, into that State, of slaves. So that the trade of *Negro driving*, as it is characteristically called, is broken up as far as regards that State.—*N. Ex.*

The honorable Elias Boudinot, of Burlington, New-Jersey, has given \$500 to the Asylum for the Deaf and Dumb in Hartford. \$6,000 have been received by this institution from Boston and Salem; \$2,000 from Albany; and \$3,000 from Hartford. A collection is now making in Philadelphia, and is soon expected to be made in New-York. The legislature of Connecticut has granted \$5,000.

*State of Indiana.*—The salaries of the officers of the government, as established by law, are,

Governor, per annum,	\$ 1,000
Secretary of State,	400
Auditor of State,	400
Treasurer of State,	400
Judges of the supreme court,	700
Judges of the circuit court,	700
Members of the legislature, per day,	2

#### TO CORRESPONDENTS.

The gentleman at Tellico, in Tennessee, who sent, for our examination, the specimen of a mineral, which he supposes to contain platina, is in error. It needs no examination—it is mere iron pyrites, or sulphuret of iron, commonly called fire stone. It is usually found in the form of cubical crystallizations like this specimen. It is abundant in the country west of the Alleghany mountains; and we have seen several beautiful pieces from some of the eastern counties of Pennsylvania. Sometimes the lumps are amphorous, and the arrangement of the particles striated and stellated.

We have received, too late for insertion or examination, a letter with the signature of "Veritas." In our next number we shall go into a full and fair exposition of the subject, if any of the friends of the "Bank speculators" wish it; and whether or no we shall try. It was in delicacy to the feelings of individuals, whom we had no disposition to wound, that we spoke of those matters in general terms. We wished to remove a public evil without having any reference to private characters. We cannot publish denials or extenuations that come without the responsibility of a real name; and we hope that "the reputation of a promising print" does not require us to contradict, without authority, a statement which we made upon the best testimony that the nature of the case could admit; which is the first rule in the law of evidence. But if Veritas, or his implicated, injured friend, will give us a decent denial of the charges, attached to a real signature, we shall publish it; though we do not pledge ourselves to believe more than what we know already.